

Message Text

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PAGE 01 STATE 145960
ORIGIN STR-07

INFO OCT-01 IO-13 ISO-00 AGRE-00 COME-00 TRSE-00
CEA-01 CIAE-00 DODE-00 EB-08 FRB-03 H-01 INR-10
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00
AID-05 SS-15 ITC-01 ICA-11 SP-02 SOE-02 OMB-01
DOE-15 AF-10 ARA-10 EA-10 EUR-12 NEA-11 /167 R

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APPROVED BY STR:DMATTHEISEN
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DOC:DSCHLECHTY/RSUPPE-BLANEY
DOD:HILSTER
DOI:HANDERSEN (INFO)
DOL:FLAVALLEE
STATE:TO'HERRON
STR:SSCHWAB
TREA:JSCHOTT (INFO)

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FM SECSTATE WASHDC
TO USMISSION GENEVA PRIORITY

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USMTN

E.O. 11652: N/A

TAGS: ETRD, MTN

SUBJECT: MTN: GROUP AGRICULTURE REVIEW OF DRAFT STANDARDS
CODE, JUNE 12, 1978

REF: GENEVA 8525

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PAGE 02 STATE 145960

1. AS NOTED IN REFTEL, THE DEL SHOULD BE GUIDED BY THE BASIC U.S. POSITION ON THE APPLICABILITY OF THE STANDARDS CODE TO AGRICULTURAL PRODUCTS AS CONTAINED IN TPSC 77-27 AND, IN PARTICULAR, EMPHASIZE THE FIRST RECOMMENDATION.
2. IN ANY DISCUSSION OF MTN/AG/W/21, MAJOR POINTS AND OBSERVATIONS MADE ON THE APPLICABILITY OF THE DRAFT

STANDARDS CODE TO AGRICULTURE, THE DEL SHOULD BE GUIDED BY TPSC 77-53, NOTING THE FOLLOWING REVISIONS IN THE U.S. POSITION THAT ARE CONTAINED IN TPSC 78-63, 78-47, 78-22 AND 77-67:

1.1.2, BACKGROUND AND 1.3.1, BACKGROUND -- UNITED STATES BELIEVES CERTAIN IMPORTANT GATT RIGHTS SHOULD BE INCLUDED IN THE CODE, E.G. U.S. PROPOSAL CONCERNING SECTION II(A) (2)(B) WOULD INCORPORATE GATT ART. XX(B).

2.5, COMMENT AND 3.1.1.5.2, BACKGROUND -- THE UNITED STATES BELIEVES THAT A POSITIVE OBLIGATION REGARDING PROCESSES AND PRODUCTION METHODS SHOULD BE INCLUDED IN THE CODE SO THAT THERE WOULD BE A BASIS FOR COMPLAINTS UNDER THE CODE'S DISPUTE SETTLEMENT PROVISIONS.

3.1.1.1.7 -- QUARANTINE SYSTEMS MIGHT ALSO BE THE SUBJECT OF COMPLAINTS, IF THEY CREATED UNNECESSARY OBSTACLES TO INTERNATIONAL TRADE.

3.1.1.1.14 -- THE U.S. REP SHOULD QUERY AS TO WHAT "REASONABLE STANDARDS APPROPRIATE TO THEIR STRUCTURAL SITUATION" MEANS, AND ALSO NOTE THAT THE AIM OF THE CODE IS NOT TO FACILITATE EXPORTS FROM DEVELOPING COUNTRIES, BUT RATHER TO ELIMINATE TECHNICAL BARRIERS TO TRADE BY WHICH WE EXPECT TO FACILITATE TRADE.

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PAGE 03 STATE 145960

3.1.1.1.16 -- NOTE THAT THE U.S. IS CONSIDERING PROPOSING LANGUAGE FOR A NATIONAL TREATMENT CLAUSE IN SECTIONS 2(A) AND 4(A).

3.1.1.6.2 -- NO NEW NOTIFICATION REQUIREMENTS SHOULD BE ADDED TO THE CODE.

3.1.1.7.2 -- RETROACTIVITY PROVISION INCORPORATED IN CODE, SECTION 19, MTN/NTM/W/150.

3.2 -- NOTE SHOULD BE TAKEN OF THE NORDIC PROPOSAL TO REDRAFT SECTIONS 5 THROUGH 15 OF THE CODE.

3.2.1.1, BACKGROUND -- THE UNITED STATES CAN ACCEPT THE NORDIC REDRAFT OF SECTION 6, WHICH INCORPORATES PARAS. 5(D) AND (E).

3.30, BACKGROUND -- NOTE CORRECTION THAT ADHERENTS WHO ARE MEMBERS IN REGIONAL CERTIFICATION SYSTEMS THAT OPERATE INCONSISTENTLY WITH THE CODE COULD BE SUBJECT TO COMPLAINTS.

4.0 -- THE UNITED STATES HAS DEVELOPED SPECIFIC POSITIONS
ON THE PROVISIONS OF AND PROPOSALS FOR CHAPTER III (TPSC
78-63, 78-47, 78-22, 78-15) THE DEL SHOULD BE GUIDED BY
THESE.

3. IN ANY DISCUSSION OF THE STANDARDS CODE IN GENERAL,
THE U.S. REP SHOULD BE GUIDED BY TPSC 78-63, 78-47, 78-22,
AND 77-67. VANCE

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